UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of)
) PUBLIC
Mc WANE, INC.,)
a corporation and)
) DOCKET NO. 9351
STAR PIPE PRODUCTS, LTD.,)
a limited partnership)

UNOPPOSED MOTION FOR EXTENSION OF TIME FOR EVERETT J. PRESCOTT, INC. TO FILE MOTION TO QUASH
OR TO LIMIT MC'VANE, INC.'S SUBPOENA DUCES TECUM
AND SUBPOENAAD TESTIFICANDUM

COMES NOW EVERETT J. PRESCOTT, INC., BY AND THROUGH ITS COUNSEL

AND MOVES AS FOLLOWS:

1. On or about February 29, 2012, counsel for respondent McWane, Inc.

("McWane") served on Everett J. Prescott, Inc. ("EJP") by registered mail a Subpoenas Duces

Tecum and Subpoenas Ad Testificandum (the "Subpoenas") containing requests for documents

and data, with a response date of March 23,2012, and a deposition date of March 29,2012.

2. Pursuant to the Federal Trade Commission's Rules of Practice, 16 C.F.R. §

3.34(c), EJP has ten (10) days in which to file a motion to quash or to limit the Subpoenas, which

results in a deadline of March 13,2012.

3. Counsel for EJP and McWane are engaged in negotiations regarding the scope of

McWane's requests, objections by EJP thereto and the time required for EJP to produce

responsive documents and data and conduct of the deposition. To facilitate those negotiations, EJP

has requested that Mc Wane counsel agree that

4. Therefore, EJP requests that this Court grant it until March 26,2012 to file a motion

to quash or to limit the Subpoenas, and that EJP's obligation to complete its response to the

Subpoenas shall be tolled during that period.

5. This extension has been agreed upon in order to afford EJP counsel sufficient time to

negotiate with McWane counsel regarding reasonable limitations and modifications of McWane's

requests to reduce the burden on EJP ofresponding, and thereby to potentially avoid the necessity of

filing a motion to quash or to limit the Subpoenas.

6. Undersigned counsel represents that he has confeiTed with McWane counsel and that

McWane counsel does not object to the proposed extension.

Dated at Augusta, Maine this 12th day ofMarch 2012.

Av-!·0~1 Michael A. Hodgins, Maine Bar #007741
Attorneys for Everett J. Prescott, Inc.

Bernstein, Shur, Sawyer & Nelson P.O. Box 5057 (146 Capitol Street) Augusta, ME 04332-5057
Tel. (207) 623-1596

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PROOF OF SERVICE OF PUBLIC FILING AND CERTIFICATION

I, Michael A. Hodgins, hereby certifY that on this 12th day of March 2012, I caused a copy of

the documents listed below to be served by mail on each ofthe following: The Office ofthe Secretary

of the Federal Trade Commission (original) and the Honorable D. Michael Chappell (one copy), and

by electronic mail to the Honorable D. Michael Chappell (oalj@ftc.gov); Thomas H. Brock

(tbrockrmftc.gov); Edward Hassi (ehassi@ftc.gov); Linda Holleran (lholleran@ftc.gov); 1. Alexander

Ansaldo (iansaldo@ftc.gov); Andrew K. Mann (amann@ftc.gov); Jeanine Balbach

(jbalbach@ftc.gov); Michael J. Bloom (mjbloom@ftc.gov); Geoffrey Green (ggreen@ftc.gov);

Joseph A. Ostoyich (ioseph.ostoyich@bakerbotts.com); Andreas Stargard

(andreas.stargard@bakerbotts.comWilliam); Lavery (william.lavery@bakerbotts.com); Gregory

Huffinan (Gregory.Huffinan@tklaw.com); William Katz (William.Katz@tklaw.com

the

(4)  [Proposed] Order Regarding Everett 1. Prescott, Inc. Deadline to File Motion to
Quash or to Limit McWane, Inc.'s Subpoena Duces Tecum and Subpoena Ad Testifcandum;

(5) This Proof of Service.

I also certify that on this 12th day ofMarch 2012, I caused to be served one copy via fIrst class
mail delivery ofthe foregoing documents upon:

Thomas Brock
U.S. Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580

Joseph A. Ostoyich
Baker Botts LLP
1299 Pennsylvania Ave., NW
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1. Alan Truitt
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March 12,2012
Michael A. Hodgins, Maine Bar #007741 Attorneys for Everett J. Prescott, Inc.

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